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FAX COVER PAGE

Date: August 15, 2007 **Total Pages:** 17 *(including cover)*

To:	**Examiner Suhan Ni,** U.S. Patent and Trademark Office	**Fax:**	**571.273.8300**
		Phone:	571.272.7505
From:	Khaled Shami Reg. No. 38,745	**Fax:**	408.287.8040
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Date: 08/15/2007 Signature: Julie Arango
Julie Arango

Re: U.S. Patent Application
Serial No.: 10/757,796 Filed: 01/13/2004
Title: Earset Assembly
Our Reference No.: 035372-003

Dear Sir:
Respectfully submitted are the following:

1. Petition to Withdraw Holding of Abandonment Based on Evidence That a Reply was Timely Filed (2 pgs.)
2. Stamped returned postcard dated July 10, 2007 (1 pg.)
3. Copy of Transmittal Form (1 pg.)
4. Copy of Credit Card Payment Form (1 pg.)
5. Copy of Petition for 3-Month Extension of Time (1 pg.)
6. Copy of Amendment and/or Response to Office Action (9 pgs.)
7. Copy of Fig. 1 and 2 Replacement Sheet (1 pg.)

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JOB #	ATTORNEY #	CLIENT-MATTER	RETURN TO	ROOM #
		035372-003		

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PAGE 1/17 * RCVD AT 8/15/2007 7:48:21 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/10 * DNIS:2738300 * CSID: * DURATION (mm-ss):04-24

Approved for use through 03/31/2007. OMB 0651-0031
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	13

Application Number	10/757,796
Filing Date	01/13/2004
First Named Inventor	Jon C. Taenzer
Art Unit	2615
Examiner Name	Ni, Suhan
Attorney Docket Number	035372-003

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ENCLOSURES *(check all that apply)*

- ☐ Fee Transmittal Form
 - ☐ Fee Attached
- ☒ Amendment / Reply
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
- ☒ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
 - ☐ Reply to Missing Parts under 37 CFR1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) ____
 - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC *(Appeal Notice, Brief, Reply Brief)*
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) *(please identify below)*:

Postcard, Credit Card Payment Form (1 pg.), FIGS. 1 and 2 Replacement Sheet (1 pg.)

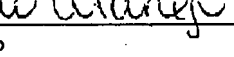
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Thelen Reid Brown Raysman & Steiner LLP		
Signature			
Printed Name	Khaled Shami		
Date	07/03/2007	Reg. No.	38,745

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Julie Arango	Date	07/03/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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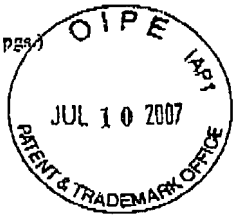
REVIEWED BY DOCKET

Serial/Patent No.: 10/757,796 Filing/Issue Date: 01/13/2004
Applicant: Jon C. Taenzer et al.
Title: EARSET ASSEMBLY

Docket No.: 035372-003 Atty/Secty Initials: REK/KS/ja
Date Mailed: 07/03/2007 Docket Due Date: 07/03/2007

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☒ Amendment/Response (2 pgs.)
- ☐ Appeal Brief (____ pgs.)
- ☐ Application - Utility (____ pgs. with cover & abstract)
- ☐ Application – Rule 1.53(b) Continuation (____ pgs.)
- ☐ Application – Rule 1.53(b) Division (____ pgs.)
- ☐ Application – Rule 1.53(b) CIP (____ pgs.)
- ☐ Application – Rule 1.53(d) CPA (____ pgs.)
- ☐ Application – PCT (____ pgs.)
- ☐ Application – Provisional (____ pgs.)
- ☐ Assignment and Cover Sheet
- ☐ Certificate of Correction
- ☒ Certificate of Mailing
- ☐ Declaration & POA (____ pgs.)
- ☐ Fee Transmittal
- ☐ Drawings (informal):
 ____ # of sheets includes ____ figures
- ☒ Other:
 FIGS. 1 and 2 Replacement Sheet (1 pg.)



- ☐ IDS & PTO 1449 (____ pgs.)
- ☐ ____ Pieces of Prior Art Enclosed
- ☐ Issue Fee Transmittal
- ☐ Submission of Formal Drawings:
 ____ # of sheets includes ____ figures
- ☐ Notice of Appeal
- ☒ Postcard
- ☐ Preliminary Amendment (____ pgs.)
- ☐ Reply Brief (____ pgs.)
- ☐ Req. and Cert. Not to Publish – Rule 1.213
- ☐ Request for Continued Examination (RCE) (____ pgs.)
- ☒ Request for Extension of Time 3 Month(s)
- ☐ Response to Notice to File Missing Parts
- ☐ Copy of PTO Notice to File Missing Parts
- ☒ Transmittal Letter
- ☐ Express Mail No.: ____
- ☒ Credit Card Transmittal for $635.00
- ☐ Deposit Acct. No. 50-1698 $____
 Patent Code: 705/2202; 725/2253
 Client/Matter # 035372-003